

Merced Del Pueblo Abiquiu
Monthly Board Meeting
July 19, 2016

Attendance:

Board of Directors

David Archuleta, President
Max Archuleta, Range Manager
Agapita Judy Lopez, Secretary
Ross Duran, Treasurer (late)
Juan O. Lopez, Vice-Pres. (late)

Members

Delvin Garcia
Joddie Valdez
Lydia Jordan
Ophelia Watson

Guests

Paulette Jordan
Gerald Sandoval
Richard Dominguez

The meeting was called to order by David Archuleta at 6:05pm at the Las Clinicas Del Norte Conference room, Abiquiu, New Mexico, followed by roll call of Board Members with a quorum verified.

Agenda

The Meeting Agenda was reviewed and it was agreed to move items for individuals present to the top of the Current Business section, items c.; d; e.; f.1; and g. **Max Archuleta moved to approve the agenda of July 19, 2016 as presented with the changes. Agapita Lopez seconded. The motion carried.**

Minutes

The minutes for the monthly meeting of May 10, 2016 were reviewed. **Max Archuleta moved to approve the minutes of June 26, 2016 as presented. Agapita Lopez seconded. The motion carried.**

Introduction of Guests

David Archuleta asked those in attendance at the meeting to introduce themselves.

Current Business

a. Delvin Garcia presented a written request for a lease agreement with the Merced for property adjacent to his property. Discussion followed on the proposed yearly fee of \$20 per year for review annually. An agreement will be drafted for signing by August monthly meeting. **Agapita Lopez moved to approve the proposal by Delvin Garcia to lease property owned by the Merced del Pueblo Abiquiu adjacent to his property at a rate of \$20 per year with an annual review at the August monthly meetings. Max Archuleta seconded. The motion carried.**

Delvin Garcia also inquired about changing his status 2 membership category to a membership 1 as he had cleared all his outstanding issues with the Merced. It was noted that Ross Duran would be asked to confirm that all outstanding issues had been taken care of. Research would be done on whether the entire membership needed to approve the status change or if the Board of Trustees could approve the change for presentation at the monthly meeting in August.

b. Richard Dominguez inquired what he needed to do to get the membership belonging to his mother, Creselda Dominguez (#18). She died intestate and his brother, Ramon Dominguez, was to acquire the membership but did not file the documentation to do so. As an heir he wanted to claim the right. He was informed by the Trustees that this was a familial situation where he had to get a release from all surviving family members granting him the right to make the claim and then making a presentation to the Merced with such proof.

c. Joddie Valdez presented his request for lots with an inquiry. He informed the Trustees he had been approached by Ross Duran to purchase the lots, however, he wanted to know if he could just transfer the rights to the lots to Ross without selecting them. Joddie offered to pay for any survey or legal costs associated with the transaction. Lydia Jordan noted that in the past only family members of the Merced

member could acquire lots and not just anyone. It was also noted that member, Geraldine Suazo was also interested in selling the two lots she owns. Joddie noted that he understood no lots were available at this time. Max remarked there were still a few lots available. Discussion followed with David reading an amendment to the Bylaws that stated the lots could be transferred to other members or their families, however, the language was vague. The board could approve the purchase and transfer of the lots and if other areas were developed by the Merced, lot transfers could be negotiated.

d. Transfer of Membership #17 from Lydia Jordan to her daughter, Paulette Jordan. Paulette presented the notarized transfer documents with the \$25 payment, however, the requested documentation was missing. Paulette was asked to send to give the Secretary a copy of her birth certificate.

Agapita Lopez moved to approve the transfer of Membership #17, Lydia Jordan, to her daughter, Paulette Jordan pending receipt of the required documentation. David Archuleta seconded. The motion carried.

e. Virgil Trujillo did not attend the meeting and discussions were tabled for the August monthly meeting. It was noted the truck had been moved as requested, however, someone else was using the site for parking and Virgil had asked that if he acquired another lot, could this be transferred to the Merced to satisfy the issues.

f. Gerald Sandoval presented his survey of the Abiquiu location off US84 that he had been asked to do by Juan O. Lopez with his findings. Discussion followed regarding access to the right of way, findings of the Gonzales home location, and the wastewater treatment plant. Discussion followed regarding previous meetings with Miguel Gonzales about trading the lot his home was in with property near the wastewater plant for expansion and other needs. Juan Lopez explained the previous history and contacts,, however, no agreements were finalized. It was agreed that legal counsel would be consulted with prior to contacting Mr. Gonzales about a trade or other recommendations.

g. David Archuleta remarked the Merced Bylaws from 2009 were in need of revision and presented an outline on the background, proposal and tentative meeting schedule for a by-law committee. J. Tony Gallegos, Eluterio Garcia and Gilbert Ferran had volunteered to serve on the Bylaw committee. The committee would be set to organize by mid-August with the election of a chair and co-chair of the committee with the responsibility of organizing, collecting proposed edits, and presenting the proposed changes to the Board by May 2017 for review by the Trustees and New Mexico Legal Aide prior to adoption and recommendation to the membership. David drafted a Bylaw Change Request Form to be used to track any proposed changes. It was noted the current Bylaws have several contradictions to the State Land Grant statutes, Land Grant codes, and financial laws. The three volunteers will be invited by David to the August meeting or a meeting convenient to all.

h. An elk permit policy was presented by David Archuleta for a permit distribution process. This was created in order to maximize revenues received by the Merced and to develop policies and procedures with regard to sales, distribution, and recording of elk tags. Several ideas were presented as part of the process for distribution with determinations created giving members priority; limits to members; limits to non-members; deposit requirements and deadlines; and disclosure of purchaser as requested by the membership. A date for setting the final price was discussed and September was the recommended time with possible priority to members through a newsletter allowing a response from January to March 31 for purchase in the 2017 season.

i. Discussion of the scholarship policy was tabled, however, Ross Duran noted that the Merced was unable to make such donations per Chris Garcia from the NM State Auditor's office due to the anti-donation clause. Discussion followed regarding the possibility of developing a committed to raise funds for the scholarship.

j. Grant Roads, Alleys, and Corridors were discussed in relation to a request from Burk Jackson and Brenda Martinez on his behalf to be allowed to use the parking area vacated by Virgil Trujillo's truck for a vacation home rental in the area. Discussion followed regarding right of ways, easements, driveways, and fair through to someone's property. It was agreed the burden of proof was with the owner by doing a survey of the property and other research necessary regarding boundary lines. Agapita was asked to respond to Mr. Jackson and Ms. Martinez informing them the grant could not allow parking the area.

k. Board organization was discussed in relation to the June 26, 2016 annual meeting elections. David needed to inform the Land Grant Council of the appointments.

Ross Duran moved to have the Trustees remain in the same positions previously held with David Archuleta as President; Juan O. Lopez as Vice-President; Ross Duran as Treasurer; Max Archuleta as Range Manager; and Agapita Lopez as Secretary. Juan O. Lopez seconded. The motion carried.

Board Committee Reports

a. NRCS. It was reported they were still waiting for funding. Nothing was yet distributed.

b. Cemetery/Fees. None to report.

c. Forest Service Committee. Max Archuleta reported Arturo was trying to get a meeting scheduled in 2 to 3 weeks with Forest Service personnel.

Reports

a. President

David Archuleta reported on his attendance to a Land Grant Council meeting where the possible Ghost Ranch land purchase was discussed including the concern of trying to get funding for the purchase as the other Land Grants were not financially able to get the funds needed for the purchase

Max Archuleta moved to approve the President's report as presented. Juan O. Lopezb seconded. The motion carried.

b. Treasurer

i. Ross Duran reported the ending balance in the checking account as of June 30, 2016 totaled \$59,892.62 with the Money Market Account having a balance of \$78,419.73 for the same period. He still needed to deposit the \$55,000 for the elk tags and the \$6,000 from Windstream into the Market account.

Juan O. Lopez moved to approve the Financial Report/Bank Reconciliation as presented . Max Archuleta seconded. The motion carried.

ii. Approval of payments. Max Archuleta presented receipts totaling \$173.24 for fuel and supplies. He inquired if the Merced was willing to reimburse him for vehicle repair expenses needed due to his use of his truck for Merced business. A policy for reimbursement was discussed as well as a reimbursement cap and mileage..

David Archuleta moved to approve payments of reimbursable expenses presented by Max Archuleta for costs derived between June 26 and July 19, 2016 as well as repairs to his vehicle as requested. Ross Duran seconded. The motion carried.

c. Grant Range Manager

Max Archuleta reported on the following issues:

- i. *Natural Resource Permits.* No permits were sold. However, Ross informed the Board one of the tree contractor's checks had bounced. Max will check into this.
- ii. *Grazing Fees/Billing.* No activity was reported and had been taken care of.
- iii. *Grazing and Water Report.* Grazing was going well and the tanks were working fine. There was water in all tanks and none were leaking. Max also reported the State Engineer's office had mapped and surveyed ditches with claims of water rights and a letter should be received in two weeks noting the pipe line for the water tanks for the cattle is being adjudicated. The claim for agricultural water rights was denied again and the Merced may need to take legal action. Discussion followed regarding fencing the area surrounding the creek flow to keep cattle out. It was also reported that the medicine for the invasive trees had been received and work would start on the Russian olive trees in the next week, but there was also concern with the trees along the creek. It was noted that NRCS had assisted with invasive trees along the watershed and because they are not able to assist private entities, perhaps they could assist the cattlemen's association.

Ross Duran moved to accept the Range Manager's report as presented. David Archuleta seconded. The motion carried.

Old Business

- a. Ghost Ranch property sale update – Agapita presented her notes on a meeting held with the Carson National Forest on June 29, 2016 in Canones where it was reported that the Forest Service is not interested in selling 40 acres, but only 10 with a possibility of 20. David remarked on his concerns that the other Land Grants might not be capable of getting funds for the purchase or for the long-term management of the facility.
- b. Patent Documents. Discussions were tabled for a later date.

Adjournment

Agapita Lopez moved to adjourn the meeting at 9:04pm. Max Archuleta seconded. The motion carried.